THE PENAL CODE OF CUBA AND PORTO RICO.[1]

FOR the fourth time since its foundation, the Republic finds a Spanish penal code the existing law of a part of its territory. Louisiana (although ceded by France) brought with it the Spanish law, in force since 1769; and barely had the problems arising out of its incorporation into our jurisprudence been solved, when the successive acquisition of Florida, California, and New Mexico created others. Among the ugliest was the existence in these territories of a penal code repugnant to the principles of our law. We now have another such code to amend or annul as one of the first duties of constructive government, at least so far as it concerns the Island of Porto Rico.

The Act of Congress (March 19, 1804) creating a territorial government for Orleans territory, now Louisiana, declared that the inhabitants should be entitled to the writ of habeas corpus, trial by jury, bail, except in certain capital cases, and immunity from cruel and unusual punishments. With these modifications it left the Spanish criminal law to be dealt with by the territorial government, which wholly abolished it, while retaining the civil code, and substituted for it an act, defining crimes and misdemeanors, providing for certain privileges to accused persons, such as the right of inspecting indictments, examining jurors, consulting with counsel, public trial and sentence, etc. It concluded thus: "All the crimes, offences, and misdemeanors hereinbefore named" (or non-enumerated) "shall be taken, intended, and construed, according to and in conformity with the Common Law of England, and that the forms of indictment (divested of unnecessary prolixity), the method of trial, the rules of evidence, and the prosecution of said crimes, offences, and misdemeanors, charging what ought to be charged, shall be, except as is by this Act otherwise provided for, according to said common law."[2]

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[1] Código Penál para las Islas de Cuba y Puerto Rico, promulgated by Real Decreto of May 23, 1879, being a revision of the Penal Code of June 17, 1870.

[2] Acts Leg. Council, Orleans Terr., First Session, Ch. L., Sec. 33.

The Act of Congress for the administration of Florida (March 30, 1822) followed the Louisiana precedent; and as the territory had no considerable Spanish population, the Legislative Council, by one enactment, abolished all Spanish law in force and replaced it by the Common Law of England,[1] with a proviso "that none of the British statutes respecting crimes and punishments shall be in force in this Territory." A further Act (September 17th, 1822) accordingly defined crimes and their punishments after our humane principles of penology.

So successful were these two experiments, that when we were at war with Mexico, and in military occupation of its territory, Brig.-Gen. S. W. Kearny, commanding at Santa Fe, New Mexico, put in force by military order (September 22, 1846) a code of law still known by his name, that superseded the existing criminal code by a concise law of twenty-seven sections.[2]

Whether the penal code of Porto Rico is modified or abolished by military order, Act of Congress, or the law of a territorial legislature yet to be created, its continuance is a matter demanding early consideration by the proper authorities.

This Code was a revision of that of 1870, undertaken upon the conclusion of the "Ten Years' War" in Cuba, by the illusive "Peace of Zanjon" (1878). The revisers admit in their prefatory address that they had not been able to agree on any quasi-political reforms, and that they had confined themselves to clarifying the Code, and making it, as nearly as possible, identical with that of the Peninsula.

The Code's political intent, thus unchanged, is perhaps the first thing that impresses the American reader, familiar with this simple clause (Art. III., Sec. 3) in our constitution, — "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort" — and the almost equally brief statutory provisions regarding kindred offenses. The Code recalls all the turbulent history of modern Spain, by its manifest design to keep down further revolutions by penalizing specific acts committed in revolutions past, especially by public servants. So, we have a chapter on the crime of "treason" (Book II., Title I., Ch. I.); another on "crimes that endanger the peace or independence of the State" (*Ib.*, Ch. II.); and others on "lèse-majesté" on "crimes against the Cortes and its members;"

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[1] Leg. Council of Florida Territory, First Session, Act of September 2nd, 1822.

[2] "The Kearny Code," printed in Compiled Laws, New Mex., 1897.

"against the Council of Ministers;" "against the form of Government" (*Ib.*, Title II., Ch. I.); on "crimes committed by individuals or public functionaries, on the occasion of, or against the exercise of, individual rights guaranteed by the Constitution," or "in violation of the constitutional provisions relating to religion and worship" (*Ib.*, Ch. II.); on "rebellion" (*Ib.*, Title III., Ch. I.); "sedition" (*Ib.*, Ch. II.); and lastly, on "criminal attempts against authority and its officers, resistance and disobedience," "acts of disrespect, insults, outrages, and threats against authority, its officers, and other public functionaries," and "public disorders" (*Ib.*, Chs. III.–VI.). This portion of the Code comprises one hundred and thirty-three out of four hundred and fifty-nine articles devoted to crimes and their penalties, or almost one-third of the book.

One deduces from this that the Spanish monarchy relies on force for its continuance, since the Code penalizes acts that the patriotic love of a free people would make impossible. For instance, the individual Spaniard is guilty of treason, punishable by chains or death, "who shall induce a foreign power to declare war on Spain" (Art. 134), or "facilitate the enemy's entrance into the kingdom," or "seduce Spanish troops . . . to go over to the enemy's ranks," or "recruit people in Spain to make war upon the country under the flag of an enemy power" (Art. 135); or "who shall take up arms against his country under an enemy's flag" (Art. 136). Public authorities are forbidden to disobey the Regency "in case there should be a vacancy of the Crown" (Art. 163); or to substitute "for the monarchical-constitutional government an absolute-monarchical government or republican government," or to change "the lawful succession to the Crown" (Art. 169), or to publish "bulls, briefs, or dispatches from the Holy See," or "any proclamation, order, or document emanating from a foreign government, that attacks the independence or security of the State" (Arts. 142–3). One might indefinitely multiply such examples — reminiscent of pronunciamentos, barrack-uprisings, and Carlist plottings. To more complete the melancholy picture: Article 114 permits convicts to be assigned to military service; and Articles 435 and 436 punish with imprisonment those who, in order to escape conscription, mutilate themselves or their relatives.

Of course these purely political provisions relating to the Crown and Government of Spain fell with the treaty of cession and have become mere historical curiosities, like the fateful clause that pun-

ished with death as rebels all "who rise with public and overt hostility" "to proclaim the independence of the islands of Cuba and Porto Rico, or either of them" (Art. 237). Nevertheless, woven in with provisions now manifestly obsolete are others that might still be made extremely mischievous.

For instance, "open air meetings or political demonstrations held by night," whatever their object, remain criminal (Art. 177), as do meetings held without twenty-four hours' prior notice to the authorities, or not dissolved on their second command to do so (Arts. 178, 183). Associations whose promoters do not eight days before they are formed furnish the authorities their by-laws, and thereafter give twenty-four hours' notice of each meeting and allow the authorities to be present thereat, and say whether it may proceed or no, are likewise under the ban (Art. 187), along with "authors, directors, editors, or printers" of publications not bearing the printer's name, or not complying with the press law (Art. 191). Ministers of other than the State (Catholic) religion are punished if they celebrate their worship "outside the precincts set apart" for them (Art. 228), while offence "by word or gesture" against a minister of the State church may be punished by heavier penalties than physical assault upon one of any other religion (Arts. 229, 234). "To act in contempt of, or with insult towards the public authorities" "aggravates criminal responsibility" (Art. 10, Sec. 17). Like aggravations are "to commit the crime . . . where public authority may be exercising its functions," or "with insult or in contempt of the respect to which the aggrieved person was entitled because of rank," or "by the use of weapons prohibited by the regulations," *e. g.*, a machete with a hilt (*Ib.*, Sections 20, 21, 26). "To outrage, insult or threaten, by act or word, public functionaries, or officers of the authorities, in their presence or by writing to them directly" is a crime in itself (Art. 266).

The Code has another class of obsolete provisions that will strike the American reader as equally curious. These are the articles relating to slavery, which consists of one whole chapter (Book II., Title XIII., Ch. III.), and some twenty articles directly using the word "slave," still unrepealed, although slavery ceased in 1886. To strike them out would accomplish no more, however, than to strike out the political provisions just referred to; for while both are dead in the letter, their spirit animates others not in terms related to them, as, for instance, the one declaring that

it is an aggravation of crime "for one not a white man to commit the deed against a white man" (Art. 10, Sec. 22), a principle that we have not yet, at least, sunk so low as to enact in statute law and one which should not be tolerated in practice where the maintenance of law and order is within the power of the Federal authority.

Coming to a consideration of that portion of the Code which is still living, the most radical difference between Spanish law and ours would seem to be that the former does not recognize our distinction between *mala prohibita* and *mala in se*, but divides offences into *crimes and misdemeanors* (*Delitos y faltas*) with regard only to the severity of the punishment imposed on each. Crimes are classified as grave or less grave (*graves ó menos graves*) according as to whether the prescribed punishment is exemplary (*aflictiva*) or correctional (*correccional*). Misdemeanors may be identical offences slighter in degree (Art. 6; compare also the "crimes" penalized in Articles 345–53 with the "misdemeanors" in Articles 603–4). This classification has a mischievous effect. By calling all infractions of law "crimes," and confounding murder in one category with the breach of sanitary ordinances, the creation of "statutory crimes" is encouraged, and popular abhorrence of crime is diminished. The "crimes" hitherto alluded to, which are practically all *mala prohibita*, are not the only ones of their kind in the Code, another example being the crime of "usurpation of office, rank, and titles and the unlawful use of names, dress, insignia, and decorations" (Book II., Title IV., Ch. VII.). This and similar chapters betray a sad lack of confidence in the public functionaries, whose practices they indicate all too clearly.

Official abuses, such as these provisions were designed to correct must inevitably be developed by an administrative system that winks at its servants extorting illegal fees to eke out inadequate pay — a political system that makes the military superior to the civil authorities — and a legislative system that, while maintaining a penal code, permits the enactment of special laws (*leyes especiales*) and the issue of ministerial regulations (*reglamentos*) orders or decrees (*órdenes ó decretos*) containing authority to do acts forbidden by the Code, or providing punishments for acts not therein penalized. Such organic injustice often makes the individual an innocent law-breaker, for the law is as inaccessible to him in its entirety as the tables of Caligula, while the prosecuting officer is practically certain beforehand to obtain the conviction he

desires. This engenders hatred of law in the individual, and, on the other hand, makes those administering it lax, venal, or tyrannical, as they are by disposition careless, covetous, or vindictive.

The Code contains but six hundred and thirty-four sections, written with a clearness and terseness that puts to shame our verbose modern statute-writing. Yet it is emasculated at the outset by the proviso (Art. 7): "Crimes that may be penalized by special laws are not subject to the provisions of this Code"; and its last article (634) is a reaffirmation of its weakness: "All the general penal laws existing prior to the promulgation of this Code are hereby abrogated, *excepting those relating to crimes not subject to its provisions.*" The Code is still further enfeebled by the fact that crimes committed by military or administrative officers cannot be punished until their superiors have heard the case, and turned the offender over to the criminal law for trial.

The highly intellectual men who framed the Code seem to have been aware of this weakness, and, in view of the difficulty of bringing public functionaries to trial at all, to have multiplied the enumeration of offences for which, at any rate, it might be lawful to punish them — a list that shows as low a moral sense pervading the civil administration as the chapters relating to political offences would indicate as existing among the military and clergy.

For instance: public functionaries must not levy illegal taxes nor collect them by coercion (Arts. 212, 213); nor take away private property (Art. 216); nor falsify documents in any of the manners following:

"1. By counterfeiting or feigning any writing, signature or rubric.

"2. By injecting into the recital of any proceedings the participation therein of persons who had no such participation.

"3. By attributing to those who were present thereat, declarations or recitals different from those which they made.

"4. By falsifying the truth in the narration of proceedings.

"5. By altering true dates.

"6. By inserting in a genuine document any alteration or interlineation which should alter its sense.

"7. By giving out a copy authentic in form, of a fictitious document, or by averring in a copy a contrary or different thing from that which the genuine original contained.

"8. By intercalating any instrument in a *protocolo*, register, or official record." (Art. 310).

Nor shall they "invent or falsify a telegraphic despatch" (Art. 313); nor issue fraudulent passports, permits (*cédulas*), and certificates (Arts. 316, 320); nor connive at the attribution of titles of nobility to impostors (Art. 343). Judges are to be punished for pronouncing unjust sentences (Arts. 357–362) or shirking the duty of pronouncing any, or "maliciously delaying" justice (Art. 364). Public prosecutors are liable for "maliciously failing" to prosecute delinquents (Art. 365) — jailors, for "connivance in the escape of prisoners" (Art. 369) — and all officials entrusted with public documents, for stealing, destroying or hiding them (Art. 371), breaking their seals or wrappers (Arts. 372–3), giving out unauthorized copies of them or revealing their contents, or trading in the secrets of private individuals that they have become cognizant of (Arts. 374–5). Lastly, chapters IX., X., XI., and XII., of Title VII., Book II., penalize the acts of public officials who accept bribes, embezzle public funds, commit frauds, make illegal exactions, or engage in unlawful speculations; and Chapter VIII. at least provides a penalty for crimes that stained Spanish rule in Cuba — the soliciting by prison-keepers of women under their custody or the female relatives of other prisoners; and the same offence, when committed by any functionary against women having "applications before him awaiting his decision or about which he has to inform or consult his superior officer."

With powerful and upright courts and prosecutors, it would seem that a code so severe on governmental officers should amply protect a private individual from oppression; but this appearance of strength is deceptive. Suppose some functionary has detained or opened a man's private letters, and he complains about it? He will find that this is only punishable in a "functionary not being a judicial authority" (Arts. 207–8) — that he is objecting to an act of the Court — and he will be lucky if he is not fined or imprisoned for "disrespect of authority." Supposing his house is entered in the dead of night — its contents searched and inventoried — and that he himself is ordered to leave town without trial or sentence? Is it likely to encourage him to seek redress to know that this was "a case provided by law," — perhaps by a decree he never heard or — that "the constitutional guarantees had been suspended"? (Arts. 203–5, 210–11). Suppose he is arrested, and the jailor keeps him for days without commitment by a judge, or even judicial knowledge of his detention, perhaps putting him *incomunicado* without leave to speak or write to any one — is it

satisfying to be told that this performance is lawful, because the functionary was "acting in obedience to an order of the civil or military authority, issued in the exercise of special powers conferred by a law"? (Art. 201, Sec. 8).

If such reservations and qualifications render private individuals powerless as against official persecution, how does it strengthen a judge to have to decide whether the reclamation of the military or administrative authority for the remission of a criminal cause to them can be safely resisted by him? (see Arts. 195–6). Or whether he may disregard the enforcement of the order of some "superior authority"? (Art. 376). It is as likely to weaken his own initiative as to strengthen his resistance to usurpation of power by other branches of the government, to know that public functionaries have individual discretion not to enforce an order "that should constitute an open, clear and definite infraction of a Constitutional precept," or "wherein any other law is openly, clearly and definitely infringed" (*Ib.*). Such conflicts of the law do not work to the benefit of any one except public officers desirous of screening responsibility behind them. The private individual is at their mercy.

Eliminating from the Code these elements of weakness and oppression, all of political origin, it becomes easier to compare what remains with American penal statutes. The treatment of crimes against the person and property differs, on the whole, very little from our own. Murder and manslaughter are classified as Parricide (the murder of a spouse or any relative), Assassination, and Homicide. Libel and Slander are confused between Calumny and Contumely (*Calumnia y Injúria*), each embracing elements of both the offences as known among us. The crime of arson is extended to cover setting fire to canefields, nurseries, and standing grain. Crimes against chastity are not as severely punished as with us, and bear heavily against women. A husband may kill his wife when taken in adultery without other penalty than banishment (Art. 437), or have her and her paramour imprisoned (Art. 447); but his own adultery is only punishable if he "keep a concubine in his house or out of it with scandal" (Art. 452). Marriage is hampered by the Penal Code (Book II., Tit. XI., Ch. II.), as well as by the Civil Code (Book I., Title IV.), the marriage of minors without their parents' consent being even made a crime punished with imprisonment (Art. 494). This, in the ecclesiastical interest, of course. The statutes relating to minor crimes

against the person and property have no peculiar distinction from our own.

There are some rather admirable provisions for punishing fraudulent insolvents (Book II., Title XIII., Ch. V.), that might well be copied and enforced in our legislation. Among them occurs one of the two unconsciously humorous passages in the Code. Fraudulent insolvency is to be presumed (Art. 553, Sec. 2), if a man "have lost in any kind of gaming, sums in excess of what an orderly father of a family should risk, by way of recreation, in that sort of entertainment." The chapter on duelling (Book II., Title VIII., Ch. IX.), is deliciously solemn fooling. Article 439 provides that whoever kills a man in duel shall suffer a long term in prison — a shorter term if he wounds him — a jailing in any event. Article 440 reduces these penalties to banishment and fine respectively, whenever imposed: —

"1. Upon the challenged person who should fight because he had not obtained from his adversary an explanation of the reasons for the duel.

"2. Upon the challenged person who should fight because of his adversary having refused to accept adequate explanations or proper satisfaction for the offence that had been inferred.

"3. Upon a person outraged in his honor, who should fight because he had not been able to obtain from the offender the adequate explanation or proper satisfaction for which he had asked."

Article 445 provides: "The duel which takes place without the presence of two or more seconds, elder in years to each of the combatants, and without their having selected the arms and arranged all the other conditions thereof, shall be punished," etc.

Book III., devoted to Misdemeanors, does not require discussion. Many are the identical offences before styled "crimes," only less grave in nature and punishment. The rest are mere ordinances of order and sanitation, or relate to petty trespasses and the like.

Book I., defining crimes and misdemeanors, the persons responsible, and the nature and extent of the penalties therefor, is entitled to real respect as an intellectual achievement, although it offends radically against our theory of penology.

The modern idea that the reclamation of the prisoner is the end in view wherever possible, depending so much on the discretion of the judge, is virtually omitted from this code. The saving chance that a jury may allow a young or unfortunate person is altogether lost. The Spanish penologists, with apparent sincerity, strove to

make infallible recorders out of fallible human judges, in whose hands lay the life and death of accused persons, contending unequally against the prosecution ever since they were haled before the committing magistrate. To this end, instead of giving a judge wide discretion, they strictly limit it, yet make these very limitations elastic, with the evident idea that if all are duly noted the judge will merely have to find a prisoner guilty, and the law will provide a penalty graded to the nicety of a day. The labor and pains with which this immense and barren task has been accomplished deserved a better subject. The result, at all events, is so novel that it is difficult to understand without reading the whole book. To give an idea of it: There are nine circumstances that extenuate and twenty-six that aggravate criminal responsibility; there are concerned in a crime, principals, accomplices, and accessories; the crime itself may be either consummated, frustrated, or attempted. Supposing an accessory to a frustrated crime be found guilty, and it is shown that while he was less than eighteen years old (an extenuating circumstance), he had acted for the sake of money (an aggravating circumstance), how shall the judge sentence him? By a mathematical computation, as hereafter shown.

Punishments (Title III., Chap. II.) are imposed according to a general scale, as follows: —

EXEMPLARY PUNISHMENTS.

Death (by the garrote).
Life chains (*cadena perpetua*).
Life imprisonment at hard labor (*reclusión*) outside of Cuba and Porto Rico.
Life imprisonment without hard labor (*relegación*) outside of Cuba and Porto Rico.
Expulsion for life (*extrañamiento*) from Spanish territory.
Chains for a term of years.
Imprisonment at hard labor for a term of years.
Imprisonment without hard labor for a term of years.
Expulsion for a term of years.
Imprisonment at hard labor in Cuba or Porto Rico (*Presidio mayór*).
Imprisonment without hard labor in Cuba or Porto Rico (*Prision mayór*).
Confinement in a penal settlement (*Confinamiento*).
Perpetual absolute disqualification.
Temporary absolute disqualification.

Perpetual especial disqualification
Temporary especial disqualification } From public office the right of suffrage, active and passive, profession or trade.

CORRECTIONAL PUNISHMENTS.

Presidio correccional (a shorter term).
Prisión " (" ").
Banishment (*destierro*) from a locality, as fixed by the Court.
Public censure.
Suspension from office, etc.
Imprisonment at place of offence (*Arresto mayór*).

LIGHT PUNISHMENTS.

Imprisonment in offender's house, etc. (*Arresto menor*).

PUNISHMENTS COMMON TO THE FOREGOING.

Fines.
Giving bonds (*caución*).

ACCESSORY PUNISHMENTS.

Degradation (of a civil officer).
Civil interdiction.
Subjection to the surveillance of the authorities.

The punishments prescribed in the first two classes, and fines, are divided into maximum, medium, and minimum degrees. Besides this, some punishments carry with them others, as life imprisonment at hard labor does civil disqualification (Tit. III., Ch. III.).

The Code then prescribes the degree of penalty to be imposed, from that applicable to principals in consummated crimes down to accessories in attempts, by the singular table (Title III., Ch. IV., Sec. 1), shown on page 135.

Where a penalty is imposed "in its minimum and medium degree," etc., the term is a compound of those two. See table on page 136.

The classification further proceeds to fix how many degrees of punishment shall be added or subtracted for aggravating or extenuating circumstances (*Ib.*, Sec. 2).

It proceeds to make a number of groups of punishments, with regard to their relative "superiority" or "inferiority," by relation to the respective severity of the above-named penalties and the degrees of each, and evolves another table (*Ib.*, Sec. 3), shown on page 136.

To return to the question to be determined by the judge, he would find what the penalty for the crime was; he would then allow two degrees for the extenuation of youth, add one for the aggregation of venality, turn to the tables, look the exact figures up, and have his sentence ready-made.

For dealing with automata, hardly a more perfect machine could be devised; for restraining, disciplining, and elevating human beings, hardly a worse, for it makes justice mechanical, and the judge a mere calculator of formulas. Even were the garrote, chains hung from waist to ankle, banishment and penal colonies, not alien to our jurisprudence, to say nothing of the minor penalties of civil interdiction (virtual outlawry) and surveillance by the authorities, this mechanical device never can be made to do justice as fairly as a human judge and a decent jury.

	Penalty affixed to the Crime	Penalty belonging to the *Principal* in the *Frustrated Crime*, and the *Accomplice* in the *Consummated Crime*.	Penalty belonging to *Principal* in *Attempt* at *Consummated Crime*, *Accessory* in same Crime, and *Accomplice* in *Frustrated Crime*.	Penalty belonging to *Accessory* in *Frustrated Crime* and *Accomplices* in *Attempts*.	Penalty belonging to *Accessory* in *Attempt* to commit a Crime.
1st case.	Death.	*Cadena Perpetua.*	*Cadena Temporal.*	*Presidio Mayór.*	*Presidio Correccional.*
2d case.	From *Cadena Perpetua* to Death.	*Cadena Temporal.*	*Presidio Mayór.*	*Presidio Correccional.*	*Arresto Mayór.*
3d case.	From *Cadena Temporal* in its maximum degree to Death.	*Presidio Mayór* from its maximum degree to *Cadena Temporal* in its medium degree.	*Presidio Correccional* from its maximum degree to *Presidio Mayór* in its medium degree.	*Arresto Mayór* from its maximum degree to *Presidio Correccional* in its medium degree.	Fine, and *Arresto Mayór* in its minimum and medium degrees.
4th case.	From *Presidio Mayór* in its maximum degree to *Cadena Temporal* in its medium degree.	*Presidio Correccional* from its maximum degree to *Presidio Mayór* in its medium degree.	*Arresto Mayór* from its maximum degree to *Presidio Correccional* in its medium degree.	Fine, and *Arresto Mayór* in its minimum and medium degree.	Fine.

Had the results of such a scheme to make human justice errorless and self-recording been such as to gratify the people for whom it was fashioned, we might well permit it to continue among them; but as it has only contributed to misery and oppression, we are under no obligation to respect its pretensions.

Such a laborious and consistent work will not bear amendment. Nor will its entire repeal work any hardship in destroying established custom. The civil law endears itself by a thousand ties to those whose whole life's actions it directs and safeguards, and whose

estates it will faithfully transmit to their posterity. No penal code ever endeared itself to any one, nor would the repeal of one disturb a single vested interest. This Code was imposed on its people by aliens. It is not their own handiwork, and except for one or two petty references to sugar-cane and the trespasses of cattle, it might as well have been designed for Denmark as the West Indies. No one

DEMONSTRATIVE TABLE OF THE DURATION OF THE DIVISIBLE PENALTIES AND OF THE TIME WHICH EACH ONE OF THEIR DEGREES COMPRISES.

PENALTIES.	Time embraced by the Penalty in its *Entirety.*	Time embraced in its *Minimum Degree.*	Time embraced in its *Medium Degree.*	Time embraced in its *Maximum Degree.*
TEMPORARY *Cadena, Reclusión, Relegación, Expulsion.*	From 12 years and a day to 20 years.	From 12 years and a day to 14 years and 8 months.	From 14 years, 8 months and a day to 17 years and 4 months.	Fron 17 years, 4 months and a day to 20 years.
Presidio & *Prisión mayor. Confinamiento.* TEMPORARY absolute or especial Disqualification.	From 6 years and a day to 12 years.	From 6 years and a day to 8 years.	From 8 years and a day to 10 years.	From 10 years and a day to 12 years.
Presidio & *Prisión Correccional.* Banishment.	From 6 months and a day to 6 years.	From 6 months and a day to 2 years and 4 months.	From 2 years, 4 months and a day to 4 years and 2 months.	From 4 years, 2 months and a day to 6 years.
Suspension.	From 1 month and a day to 6 years.	From 1 month and a day to 2 years.	From 2 years and a day to 4 years.	From 4 years and a day to 6 years.
Arresto Mayór.	From 1 month and a day to 6 months.	From 1 to 2 months.	From 2 months and a day to 4 months.	From 4 months and a day to 6 months.
Arresto Menor.	From 1 to 30 days.	From 1 to 10 days.	From 11 to 20 days.	From 21 to 30 days.

will regret its disappearance with the other mementos of evil days. What is humanely intended in it exists in every American code. Men of leisure and genius, it is true, could alter it into an American code; but events will not wait, and to administrators, not of genius but of practical sense, the old Louisiana precedent will seem the more simple and the most certain to produce a uniformity of reform.

Lloyd McKim Garrison.